



General Assembly

February Session, 2006

Amendment

LCO No. 2667

HB0568402667SR0

Offered by:
SEN. GUNTHER, 21st Dist.

To: House Bill No. 5684

File No.

Cal. No.

***"AN ACT CONCERNING REFORM OF THE STATE CONTRACTING
PROCESS."***

1 Strike section 12 in its entirety and renumber the remaining sections
2 and internal references accordingly

3 After line 1274, insert the following and renumber the remaining
4 section accordingly:

5 "Sec. 24. Section 4b-3 of the general statutes is repealed and the
6 following is substituted in lieu thereof (*Effective October 1, 2006*):

7 (a) There is established a State Properties Review Board which shall
8 consist of six members appointed as follows: The speaker of the House
9 and president pro tempore of the Senate shall jointly appoint three
10 members, one of whom shall be experienced in matters relating to
11 architecture, one experienced in building construction matters and one
12 in matters relating to engineering; and the minority leader of the
13 House and the minority leader of the Senate shall jointly appoint three
14 members, one of whom shall be experienced in matters relating to the

15 purchase, sale and lease of real estate and buildings, one experienced
16 in business matters generally and one experienced in the management
17 and operation of state institutions. No more than three of said six
18 members shall be of the same political party. One of the members first
19 appointed by the speaker and the president pro tempore shall serve a
20 two-year term, one shall serve a three-year term and one shall serve a
21 four-year term. One of the members first appointed by the minority
22 leaders of the House and Senate shall serve a two-year term, one shall
23 serve a three-year term and one shall serve a four-year term. All
24 appointments of members to replace those whose terms expire shall be
25 for a term of four years and until their successors have been appointed
26 and qualified. If any vacancy occurs on the board, the appointing
27 authorities having the power to make the initial appointment under
28 the provisions of this section shall appoint a person for the unexpired
29 term in accordance with the provisions hereof.

30 (b) The chairman of the board shall be compensated two hundred
31 dollars per diem up to a maximum of thirty thousand dollars annually.
32 Other members of the board shall be compensated two hundred
33 dollars per diem up to a maximum of twenty-five thousand dollars
34 annually. The members of the board shall choose their own chairman.
35 No person shall serve on this board who holds another state or
36 municipal governmental position and no person on the board shall be
37 directly involved in any enterprise which does business with the state
38 or directly or indirectly involved in any enterprise concerned with real
39 estate acquisition or development.

40 (c) The board may adopt such rules as it deems necessary for the
41 conduct of its internal affairs, in accordance with section 4-167, and
42 may employ an executive director, a real estate examiner, a financial
43 administrative assistant, a secretary, a clerk, and within its budget,
44 such additional employees as it shall deem necessary.

45 (d) Notwithstanding any other statute or special act to the contrary,
46 the Commissioner of Public Works shall be the sole person authorized
47 to represent the state in its dealings with third parties for the

48 acquisition, construction, development or leasing of real estate for
49 housing the offices or equipment of all agencies of the state or for the
50 state-owned public buildings or realty hereinafter provided for in
51 section 2-90, sections 4b-1 to 4b-5, inclusive, 4b-21, 4b-23, as amended,
52 4b-24, 4b-26, 4b-27, 4b-30 and 4b-32, subsection (c) of section 4b-66,
53 sections 4b-67 to 4b-69, inclusive, 4b-71, 4b-72, 10-95, 10a-72, 10a-89,
54 10a-90, 10a-114, 10a-130, 10a-144, 17b-655, 22-64, 22a-324, 26-3, 27-45,
55 32-1c, 32-39, 48-9, 51-27d and 51-27f, except that the Joint Committee
56 on Legislative Management may represent the state in the planning
57 and construction of the Legislative Office Building and related
58 facilities, in Hartford; the board of trustees of a constituent unit of the
59 state system of higher education may represent the state in the leasing
60 of real estate for housing the offices or equipment of such constituent
61 unit provided no lease payments for such realty are made with funds
62 generated from the general revenues of the state; the Labor
63 Commissioner may represent the state in the leasing of premises
64 required for employment security operations as provided in subsection
65 (c) of section 31-250; the Commissioner of Mental Retardation may
66 represent the state in the leasing of residential property as part of the
67 program developed pursuant to subsection (b) of section 17a-218, as
68 amended, provided such residential property does not exceed two
69 thousand five hundred square feet, for the community placement of
70 persons eligible to receive residential services from the department
71 and the Connecticut Marketing Authority may represent the state in
72 the leasing of land or markets under the control of the authority, and,
73 except for the housing of offices or equipment in connection with the
74 initial acquisition of an existing state mass transit system or the leasing
75 of land by said Marketing Authority for a term of one year or more in
76 which cases the actions of the Department of Transportation and the
77 Marketing Authority shall be subject to the review and approval of the
78 State Properties Review Board. Said commissioner shall have the
79 power to establish and implement any procedures necessary for him to
80 assume his responsibilities as said sole bargaining agent for state realty
81 acquisitions and shall perform the duties necessary to carry out such
82 procedures. He may appoint, within his budget and subject to the

83 provisions of chapter 67, such personnel deemed necessary by him to
84 carry out the provisions hereof, including experts in real estate,
85 construction operations, financing, banking, contracting, architecture
86 and engineering. The Attorney General's office, at the request of the
87 commissioner, shall assist the commissioner in contract negotiations
88 regarding the purchase, lease or construction of real estate.

89 (e) The State Properties Review Board shall be an independent body
90 within the Executive Department.

91 (f) The State Properties Review Board shall review real estate
92 acquisitions, sales, leases and subleases, license agreements and any
93 other agreements relating to acquisition or disposal of an interest in
94 real property proposed by the Commissioner of Public Works, the
95 acquisition, other than by condemnation, or the sale, sublease or lease
96 of any property or the entry into any license agreement relating to the
97 property by the Commissioner of Transportation under subdivision
98 (12) of section 13b-4, subject to section 4b-23, as amended, and
99 subsection (h) of section 13a-73 and review, for approval or
100 disapproval, any contract for a project described in subsection (h) of
101 section 4b-91, as amended. Such review shall consider all aspects of the
102 proposed actions, including feasibility and method of acquisition and
103 the prudence of the business method proposed. The board shall also
104 cooperate with and advise and assist the Commissioner of Public
105 Works and the Commissioner of Transportation in carrying out their
106 duties. The board shall have access to all information, files and records,
107 including financial records, of the Commissioner of Public Works and
108 the Commissioner of Transportation, and shall, when necessary, be
109 entitled to the use of personnel employed by said commissioners. The
110 board shall approve or disapprove any acquisition of development
111 rights of agricultural land by the Commissioner of Agriculture under
112 section 22-26cc, as amended.

113 (g) The General Assembly may approve legislation authorizing an
114 exception to the review requirements of this section, provided the
115 Governor issues a declaration of emergency requiring such an

116 exception and such legislation is approved, in whole, by a three-fifths
117 vote of the members of each house of the General Assembly. In the
118 event that the General Assembly approves legislation authorizing an
119 exception to the review requirements of this section, the State
120 Properties Review Board shall have ten days to complete an expedited
121 review of the proposed action and approve or disapprove such action
122 not later than ten days after the enactment of such legislation. Such
123 review shall be conducted in accordance with the provisions of section
124 4b-3.

125 Sec. 25. Subsection (i) of section 4b-23 of the 2006 supplement to the
126 general statutes is repealed and the following is substituted in lieu
127 thereof (*Effective October 1, 2006*):

128 (i) As used in this subsection, (1) "project" means any state
129 program, except the downtown Hartford higher education center
130 project, as defined in subsection (l) of section 4b-55, as amended,
131 requiring consultant services if (A) the cost of such services is
132 estimated to exceed fifty thousand dollars or, in the case of a
133 constituent unit of the state system of higher education, the cost of
134 such services is estimated to exceed three hundred thousand dollars,
135 or (B) (i) the construction costs in connection with such program are
136 estimated to exceed five hundred thousand dollars or, in the case of a
137 constituent unit of the state system of higher education, other than The
138 University of Connecticut, the construction costs in connection with
139 such program are estimated to exceed two million dollars, and (ii) the
140 cost of a consultant services contract for such program exceeds twenty
141 thousand dollars or the cost of an amendment to a consultant services
142 contract makes the total cost of the amendment, all previous
143 amendments to such contract and the contract exceed twenty thousand
144 dollars for the first time; (2) "consultant" means "consultant" as defined
145 in section 4b-55, as amended; and (3) "consultant services" means
146 "consultant services" as defined in section 4b-55, as amended. Any
147 consultant selected by the commissioner, and any contracts entered
148 into by the commissioner with any consultants for employment, on
149 any project under the provisions of this section, shall be subject to the

150 approval of the Properties Review Board prior to the employment of
151 said consultant or consultants by the commissioner. The Properties
152 Review Board shall, within thirty days, approve or disapprove the
153 selection of or contract with any consultant made by the Commissioner
154 of Public Works pursuant to sections 4b-1 and 4b-55 to 4b-59, inclusive,
155 as amended. If upon the expiration of the thirty-day period a decision
156 has not been made, the Properties Review Board shall be deemed to
157 have approved such selection or contract. In determining costs for the
158 purposes of this subsection, costs for similar services with respect to a
159 project shall be aggregated.

160 Sec. 26. Section 4b-24 of the general statutes is repealed and the
161 following is substituted in lieu thereof (*Effective October 1, 2006*):

162 In acting as the determining authority in fulfilling the needs of the
163 various departments and agencies of state government, except the
164 Legislative Department, and choosing the method of acquisition which
165 shall be pursued in the open competitive market, the commissioner
166 shall:

167 (1) (A) Compile and maintain comprehensive and complete
168 inventories of all the improved and unimproved real estate available to
169 the state by virtue of ownership or lease. The actual mechanical
170 compilation of such inventories may be handled, at the request of the
171 commissioner, by the Secretary of the Office of Policy and
172 Management; provided such compilation shall be available to the
173 Commissioner of Public Works at all times. Such inventory shall be
174 used by the commissioner as the primary source for meeting state
175 needs, and shall be shared with the review board and with the
176 Secretary of the Office of Policy and Management; (B) prepare an
177 annual inventory of improved and unimproved real estate which is
178 owned by the state and which is unused or underutilized and study
179 and make recommendations concerning the reuse or disposition of
180 such real estate; (C) identify in the inventories required under
181 subparagraphs (A) and (B) of this subdivision, existing buildings that
182 (i) are of historic, architectural or cultural significance, including

183 buildings listed or eligible to be listed in the national register
184 established under the National Historic Preservation Act of 1966, 80
185 Stat. 915 (1966), 16 USC 470a, and (ii) would be suitable, whether or
186 not in need of repair, alteration or addition, to meet the public building
187 needs of the state or to meet the needs of the public in accordance with
188 the provisions of subsection (m) of section 4b-23, as amended.

189 (2) Whenever realty uses designed uniquely for state use and for
190 periods over five years are concerned, the commissioner shall,
191 whenever practicable, attempt to purchase, lease-purchase or construct
192 on state-owned land. In such cases leases shall be used only when
193 other possibilities have been eliminated as not feasible, in the opinion
194 of the commissioner.

195 (3) Whenever the commissioner has established specific plans and
196 specifications for new construction on state land or new construction
197 for sale to the state: (A) If it appears to the commissioner that the cost
198 of the project shall be less than five hundred thousand dollars,
199 contracts shall be made, where practicable, through a process of sealed
200 bidding as provided in section 4b-91, as amended by this act, relating
201 to projects in excess of five hundred thousand dollars; (B) if it appears
202 to the commissioner that the space needs of the requesting agency are
203 less than five thousand square feet, the commissioner shall, whenever
204 practicable, carry on advertising, in accordance with the provisions of
205 section 4b-34 relating to projects in excess of five thousand square feet,
206 in order to allow an equal opportunity for third parties to do business
207 with the state without regard to political affiliation, political
208 contributions or relationships with persons in state, federal or local
209 governmental positions.

210 (4) The commissioner may designate projects to be accomplished on
211 a total cost basis for (A) new facilities to provide for the substantial
212 space needs of a requesting agency, (B) the installation of mechanical
213 or electrical equipment systems in existing state facilities, or (C) the
214 demolition of any state facility that the commissioner is authorized to
215 demolish under the general statutes. If the commissioner designates a

216 project as a designated total cost basis project, the commissioner may
217 enter into a single contract with a private developer which may
218 include such project elements as site acquisition, architectural design
219 and construction. The commissioner shall select a private developer
220 from among the developers who are selected and recommended by the
221 award panels established in this subdivision. All contracts for such
222 designated projects shall be based on competitive proposals received
223 by the commissioner, who shall give notice of such project, and
224 specifications for the project, by advertising, at least once, in a
225 newspaper having a substantial circulation in the area in which such
226 project is to be located. In no case shall the solicitation of competitive
227 proposals for projects by electronic means be substituted for print
228 advertisements. No contract which includes the construction,
229 reconstruction, alteration, remodeling, repair or demolition of any
230 public building for work by the state for which the total cost is
231 estimated to be more than five hundred thousand dollars may be
232 awarded to a person who is not prequalified for the work in
233 accordance with section 4a-100. The commissioner shall determine all
234 other requirements and conditions for such proposals and awards and
235 shall have sole responsibility for all other aspects of such contracts.
236 Such contracts shall state clearly the responsibilities of the developer to
237 deliver a completed and acceptable product on a date certain, the
238 maximum cost of the project and, as a separate item, the cost of site
239 acquisition, if applicable. No such contract may be entered into by the
240 commissioner without the prior approval of the State Properties
241 Review Board and unless funding has been authorized pursuant to the
242 general statutes or a public or special act.

243 (5) Whenever a bid is made to the commissioner for any purpose
244 regarding the use of land or whenever any person proposes to sell or
245 lease land to the state, the bidder or such person shall be the owner of
246 the land, or the commissioner shall have the option to void any
247 contract subsequently made with said bidder or third person.

248 (6) In all dealings with the commissioner the owner of record or
249 beneficial owner shall be disclosed to the commissioner and the bid

250 shall be revealed to the owner of record or beneficial owner or the
251 commissioner shall have the option to void any contract subsequently
252 made concerning any such dealing.

253 (7) After the authorization of a project under the provisions of
254 section 4b-23, as amended, the public auditors of the state and the
255 auditors or accountants of the Commissioner of Public Works shall
256 have the right to audit the books of any contractor employed by the
257 commissioner pursuant to such authorization, or of any party
258 negotiating with the commissioner for the acquisition of land by lease
259 or otherwise; provided, however, that any such audit shall be limited
260 to the project authorized by the commissioner and the Properties
261 Review Board, and provided further that in the case of a party
262 negotiating with the commissioner, such audit may also be conducted
263 after the negotiations have ended, if a contract is consummated with
264 the commissioner.

265 Sec. 27. Section 4b-55 of the 2006 supplement to the general statutes
266 is repealed and the following is substituted in lieu thereof (*Effective*
267 *October 1, 2006*):

268 As used in this section, section 4b-1 and sections 4b-56 to 4b-59,
269 inclusive, unless the context clearly requires otherwise:

270 (a) "Commissioner" means the Commissioner of Public Works;

271 (b) "Consultant" means (1) any architect, professional engineer,
272 landscape architect, land surveyor, accountant, interior designer,
273 environmental professional or construction administrator, who is
274 registered or licensed to practice such person's profession in
275 accordance with the applicable provisions of the general statutes, or (2)
276 any planner or financial specialist;

277 (c) "Consultant services" shall include those professional services
278 rendered by architects, professional engineers, landscape architects,
279 land surveyors, accountants, interior designers, environmental
280 professionals, construction administrators, planners or financial

281 specialists, as well as incidental services that members of these
282 professions and those in their employ are authorized to perform;

283 [(d) "University of Connecticut library project" means a project to
284 renovate and improve the Homer Babbidge Library at The University
285 of Connecticut;]

286 [(e)] (d) "Firm" means any individual, partnership, corporation, joint
287 venture, association or other legal entity (1) authorized by law to
288 practice the profession of architecture, landscape architecture,
289 engineering, land surveying, accounting, interior design,
290 environmental or construction administration, or (2) practicing the
291 profession of planning or financial specialization;

292 [(f) "Priority higher education facility project" means any project
293 which is part of a state program to repair, renovate, enlarge, equip,
294 purchase or construct (1) instructional facilities, (2) academic core
295 facilities, including library, research and laboratory facilities, (3)
296 student residential or related student dining facilities, or (4) utility
297 systems related to such projects, which are or will be operated under
298 the jurisdiction of the board of trustees of any constituent unit of the
299 state system of higher education, except The University of Connecticut
300 provided the project is included in the comprehensive facilities master
301 plan of the constituent unit pursuant to section 10a-4a or in the most
302 recent state facility plan of the Office of Policy and Management
303 pursuant to section 4b-23;]

304 [(g)] (e) "Project" means any state program requiring consultant
305 services if (1) the cost of such services is estimated to exceed fifty
306 thousand dollars or, in the case of a constituent unit of the state system
307 of higher education, the cost of such services is estimated to exceed
308 three hundred thousand dollars, and (2) the construction costs in
309 connection with such program are estimated to exceed five hundred
310 thousand dollars; or, in the case of a constituent unit of the state
311 system of higher education, other than The University of Connecticut,
312 the construction costs in connection with such program are estimated

313 to exceed two million dollars. In determining costs for the purposes of
314 this subsection, costs for similar services with respect to a project shall
315 be aggregated;

316 [(h)] (f) "Selection panel" or "panel" means the State Construction
317 Services Selection Panel established pursuant to subsection (a) of
318 section 4b-56 or, in the case of a Connecticut Health and Education
319 Facilities Authority project pursuant to section 10a-186a, as amended,
320 means the Connecticut Health and Education Facilities Authority
321 Construction Services Panel established pursuant to subsection (c) of
322 section 4b-56; and

323 [(i)] (g) "User agency" means the state department or agency
324 requesting the project or the agency for which such project is being
325 undertaken pursuant to law. [;]

326 [(j)] "Community court project" means (1) any project to renovate
327 and improve a facility designated for the community court pilot
328 program established pursuant to section 51-181c, and (2) the
329 renovation and improvement of other state facilities required for the
330 relocation of any state agency resulting from the placement of the
331 community court;

332 (k) "Connecticut Juvenile Training School project" means a project
333 (1) to develop on a designated site new facilities for a Connecticut
334 Juvenile Training School in Middletown including, but not limited to,
335 preparing a feasibility study for, designing, constructing,
336 reconstructing, improving or equipping said facility for use by the
337 Department of Children and Families, which is an emergency project
338 because there is an immediate need for completion of said project to
339 remedy overcrowding at Long Lane School; said school shall have an
340 annual average daily population of not more than two hundred forty
341 residents; or (2) to develop a separate facility for girls including, but
342 not limited to, acquiring of land or buildings, designing, constructing,
343 reconstructing, improving or equipping said facility for use by the
344 Department of Children and Families;

345 (l) "Downtown Hartford higher education center project" means a
346 project to develop a higher education center, as defined in
347 subparagraph (B) of subdivision (2) of section 32-600, and as described
348 in subsection (a) of section 32-612, for the regional community-
349 technical college system;

350 (m) "Correctional facility project" means any project (1) which is
351 part of a state program to repair, renovate, enlarge or construct
352 facilities which are or will be operated by the Department of
353 Correction, and (2) for which there is an immediate need for
354 completion in order to remedy prison and jail overcrowding; and

355 (n) "Juvenile detention center project" means any project (1) which is
356 part of a state program to repair, renovate, enlarge or construct
357 juvenile detention centers which are or will be operated by the Judicial
358 Department, and (2) for which there is an immediate need for
359 completion in order to remedy overcrowding.]

360 Sec. 28. Section 4b-56 of the general statutes is repealed and the
361 following is substituted in lieu thereof (*Effective October 1, 2006*):

362 (a) There shall be established within the Department of Public
363 Works a State Construction Services Selection Panel which shall consist
364 of five members. Four of such members shall be appointed by the
365 commissioner, shall be current or retired employees of the Department
366 of Public Works and shall serve for terms of one year from July first.
367 The remaining member shall be appointed by the head or acting head
368 of the user agency and shall serve only for deliberations involving the
369 project for which he was appointed. If any vacancy occurs on the
370 panel, the commissioner shall appoint a person for the unexpired term
371 in accordance with the provisions of this subsection.

372 (b) The selection panel shall not be deemed to be a board or
373 commission within the meaning of section 4-9a, as amended.

374 (c) There shall be established within the Department of Public
375 Works a Connecticut Health and Education Facilities Authority

376 Construction Services Panel which shall consist of five members: Three
377 of whom shall be appointed by the Commissioner of Public Works and
378 shall be current employees of the Department of Public Works; and the
379 remaining members shall be appointed by the head or acting head of
380 the user agency and shall serve only for deliberations involving the
381 project for which such member was appointed. The members of the
382 selection panel appointed by the Commissioner of Public Works shall
383 serve for terms of one year from July first. If any vacancy occurs on the
384 panel, the Commissioner of Public Works or the head or acting head of
385 the user agency, as appropriate, shall appoint a person for the
386 unexpired term in accordance with the provisions of this subsection.

387 (d) The panel established pursuant to subsection (c) of this section
388 shall not be deemed to be a board or commission within the meaning
389 of section 4-9a, as amended. Such panel shall be the selection panel
390 only for Connecticut Health and Education Facilities Authority
391 projects pursuant to section 10a-89b.

392 (e) No person having a beneficial interest in any of the bidding
393 entities or whose family members are employees of, or have such an
394 interest in a bidding entity, shall be appointed to, or supervise the
395 activities of, the Selection Panel or Construction Services Panel.

396 Sec. 29. Subsection (a) of section 4b-57 of the 2006 supplement to the
397 general statutes is repealed and the following is substituted in lieu
398 thereof (*Effective October 1, 2006*):

399 (a) Whenever consultant services are required by the commissioner
400 in fulfilling his responsibilities under section 4b-1, and in the case of
401 each project, the commissioner shall invite responses from such firms
402 by advertisements inserted at least once in one or more newspapers
403 having a circulation in each county in the state. The commissioner shall
404 prescribe, by regulations adopted in accordance with chapter 54, the
405 advance notice required for, the manner of submission, and conditions
406 and requirements of, such responses. In no case shall the solicitation of
407 competitive proposals for consultant services or projects by electronic

408 means be substituted for print advertisements.

409 Sec. 30. Section 4b-58 of the 2006 supplement to the general statutes
410 is repealed and the following is substituted in lieu thereof (*Effective*
411 *October 1, 2006*):

412 (a) [(1) Except in the case of a project, a priority higher education
413 facility project, a project, as defined in subdivision (16) of section 10a-
414 109c, undertaken by The University of Connecticut, a community court
415 project, a correctional facility project, a juvenile detention center
416 project, and the downtown Hartford higher education center project,
417 the commissioner shall negotiate a contract for consultant services with
418 the firm most qualified, in the commissioner's judgment, at
419 compensation which the commissioner determines is both fair and
420 reasonable to the state. (2)] In the case of a project, the commissioner
421 shall negotiate a contract for such services with the most qualified firm
422 from among the list of firms submitted by the panel at compensation
423 which the commissioner determines in writing to be fair and
424 reasonable to the state. If the commissioner is unable to conclude a
425 contract with any of the firms recommended by the panel, the
426 commissioner shall, after issuing written findings of fact documenting
427 the reasons for such inability, negotiate with those firms which the
428 commissioner determines to be most qualified, at fair and reasonable
429 compensation, to render the particular consultant services under
430 consideration. [(3) Whenever consultant services are required for a
431 priority higher education facility project, a community court project, a
432 correctional facility project, a juvenile detention center project, or the
433 downtown Hartford higher education center project, the commissioner
434 shall select and interview at least three consultants or firms and shall
435 negotiate a contract for consultant services with the firm most
436 qualified, in the commissioner's judgment, at compensation which the
437 commissioner determines is both fair and reasonable to the state,
438 except that if, in the opinion of the commissioner, the Connecticut
439 Juvenile Training School project needs to be expedited in order to meet
440 the needs of the Department of Children and Families, the
441 commissioner may waive such selection requirement. Except for the

442 downtown Hartford higher education center project, the] The
443 commissioner shall notify the State Properties Review Board of the
444 commissioner's action not later than five business days after such
445 action for its approval or disapproval in accordance with subsection (i)
446 of section 4b-23, as amended, except that if, not later than fifteen days
447 after such notice, a decision has not been made, the board shall be
448 deemed to have approved such contract. If the commissioner fails to so
449 notify the board within five business days, the board shall be deemed
450 to have disapproved such contract.

451 (b) In determining fair and reasonable compensation to be paid in
452 accordance with subsection (a) of this section, the commissioner shall
453 consider, in the following order of importance, the professional
454 competence of the consultant, the technical merits of the proposal, the
455 ability of the firm to perform the required services within the time and
456 budgetary limits of the contract and the price for which the services are
457 to be rendered."